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C O N F I D E N T I A L SECTION 01 OF 02 BANDAR SERI BEGAWAN 000103

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SUBJECT: BRUNEI: DEMARCHE ON BURMA REFERENDUM

REF: STATE 26677

Classified By: Ambassador Emil Skodon, Reasons 1.4 (B,D)

¶1. (C) SUMMARY: Brunei views the Burmese regime's announcement of a referendum as a "positive step" and believes it should be given a chance to move its roadmap process forward. The Bruneians have privately advised the Burmese government that they hope to see a peaceful and inclusive process of reconciliation take place within Burma, and in response to our demarche will consider sending a similar message related to referendum preparations. Brunei maintains that intra-ASEAN consultations on forging a common approach toward Burma are continuing, but consensus has not yet been reached. It does not believe sanctions will be effective because the Burmese generals are "hermetically sealed" and "did not care if they had to hold their oil wells together with rubber bands." The Bruneians see China as having been quietly helpful in getting the international community's message across to the Burmese regime and suggest it could be influential in the future as well. END SUMMARY.

¶2. (C) Ambassador delivered reftel demarche to Ministry of Foreign Affairs and Trade Permanent Secretary Datin Maimunah on March 27. In reply, Maimunah said the Government of Brunei (GOB) viewed the Burmese regime's announcement of a referendum on the draft constitution as a positive step, and believed "we should give them a chance and see how well this process moves forward." The GOB wanted to see national reconciliation achieved within Burma via peaceful means but realized the process would take time. For now, it was focused on supporting Special Advisor Gambari. Maimunah added that the GOB believed that the Burmese military would have to be part of any solution, and it would be many years before its involvement in government could be phased out completely.

¶3. (C) Ambassador noted there were many points on which the USG and GOB agreed. We both hoped for a peaceful resolution and supported Gambari, and the USG accepted that the military might play a role in a successor government if the Burmese people decided that was appropriate. Just as we were willing to accept that the military need not be excluded, however, so we believed that the regime needed to accept that it could not go on totally excluding others from a dialog on reconciliation and reform. Time was running out for the "roadmap" to regain credibility. It was imperative that Brunei and other nations send a clear message that the constitutional referendum needed to be inclusive, conform to internationally accepted standards, and be free and fair. If those criteria were not fulfilled, frustration would grow and potentially boil over into instability and unrest that would

have an impact beyond Burma's borders.

¶4. (C) Maimunah replied that the GOB had advised the Burmese government privately that it hoped to see "a peaceful and inclusive process of political reconciliation" take place within Burma. She said that discussions continued within ASEAN in an attempt to forge a consensus approach to Burma, but admitted "we aren't there yet" due to the wide divergence of opinion among ASEAN members. When and if ASEAN did reach a consensus position, that would guide GOB policy. In the meantime, she would report the USG demarche to MFAT Ministers I and II Prince Mohamed and Pehin Lim, with a view to determining whether the GOB should repeat its earlier message to the Burmese regime about the need for an inclusive process of reconciliation, tying it to the forthcoming referendum.

¶5. (C) Ambassador asked what types of approaches Maimunah thought might be effective in getting our common message across to the Burmese generals. She replied that it was long-standing GOB policy to oppose the use of sanctions. In any case, she did not think they would be very effective with Burma, since the regime had "hermetically sealed" itself off from the outside world. She recounted a comment by an ASEAN colleague that the generals "did not care if they had to hold their oil wells together with rubber bands." Ambassador noted that hermetically sealed containers could explode and hurt innocent bystanders in the vicinity if their internal pressure went out of control. Maimunah agreed and said that was why the Chinese were worried about the course of events in Burma. She thought the "quiet hand of China" had already been useful in influencing the regime and could be particularly helpful in the future as well.

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¶6. (C) Separately, earlier in the week Ambassador had asked MFAT PermSec Pengiran Dato Osman if the March 25-26 ASEAN-China Senior Officials Consultation would include a discussion of Burma (Brunei is ASEAN's current Country Coordinator for China). Osman said it was not on the official agenda, but might be discussed on the sidelines. Ambassador urged Osman to find an opportunity for the participants in this forum to exchange views of the planned Burmese referendum, even informally, since it was such an important issue for the entire region. Osman replied that he would try but cautioned that the Chinese felt they were already walking a fine line between encouraging the SPDC to be less rigid and risking the kind of rapid change that could lead to instability and a failed state on their border. Ambassador emphasized that a rigged referendum that sparked outrage within Burma and internationally would be the surest way to guarantee more instability, and so it was in the interest of both ASEAN and China to do what they could to help avoid that outcome.

¶7. (C) Colleagues at the British High Commission in Bandar Seri Begawan tell us that some of their sources maintain the Sultan assured visiting Burmese PM Thein Sein in January that Brunei followed a policy of non-interference in the internal affairs of other countries and would continue to do so in the case of Burma. We have been unable to confirm this report independently, and note that while this is an accurate description of Brunei's oft-stated general policy of non-interference, it would be uncharacteristic for the Sultan to offer such explicit assurances on a controversial and high profile issue such as political developments in Burma. This may be a case of the British sources putting the spin they favor on the Sultan's remarks for western ears.

¶8. (C) COMMENT: We seriously doubt that the GOB will publicly call for a free and fair referendum in Burma, given that Brunei itself is an absolute monarchy that has not bothered to hold any national elections -- free, fair, or otherwise -- during its 24 years of independence. That said, we found it interesting that Maimunah said intra-ASEAN consultations on Burma are continuing, since ASEAN had

seemingly thrown up its hands after the Burmese said they preferred to deal with the international community exclusively through the UNSC and Gambari. Stressing to the GOB how important it is for regional stability that the Burmese generals be dissuaded from continuing down their exclusionary and self-destructive path may, at a minimum, help to ensure that Brunei does not actively oppose efforts by other ASEAN states to press for a credible referendum.

END COMMENT.

SKODON